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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,202	01/26/2004	Munechika Okita	117854	6432
25944	7590	07/01/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			LAU, HOI CHING	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/763,202

Applicant(s)

OKITA ET AL.

Examiner

Hoi C. Lau

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/26/2004</u> | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1- 8 have been examined.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

41. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by King et al. (U.S. 6,501,374).

Regarding **Claim 1**, King's system comprises:

A seat belt (column 3, lines 44-52);

An audible indicator for generating an alert sound (Fig. 1 and 3, and column 3, lines 67);

A controller for providing via the audible indicator, either one of a first audible corresponding to a first warning level and a second audible alert corresponding to a second warning level when the seat belt is unbuckled, the controller being adapted to sound a first alert chime by repeating an alert sound having prescribed frequency and volume at a first cycle during the first audible alert, and a second alert chime by repeating the same alert sound at a second cycle that is different from the first cycle, during the second audible alert (column 3, lines 35-38 and column 4, lines 17-61).

Since the system discloses two different level of audible indication, it is inherent one of the sound alert is higher than the other.

Regarding **Claim 2**, King's system teaches the controller is adapted to sound the first alert chime via the audible indicator in an initial stage of the second audible alert, prior to sounding the second alert chime (column 4, lines 17-61).

Regarding **Claim 3**, it teaches the controller adapted to activate the first audible alert in response to detecting the seat belt being unbuckled upon turning on the ignition of the vehicle, and activate the second audible alert in response to detecting the seat belt being unbuckled when the vehicle is running at a prescribed speed or more (column 4, lines 17-67 and column 5, lines 1-7).

Regarding **Claim 4**, King's system comprises:

A seat belt (column 3, lines 44-52);

An audible indicator for generating an alert sound (Fig. 1 and 3, and column 3, lines 67);

A controller for providing via the audible indicator, either one of a first audible corresponding to a first warning level and a second audible alert corresponding to a second warning level when the seat belt is unbuckled, the controller being adapted to sound via the audible indicator an alert chime corresponding to the first warning level before an alert chime corresponding to the second warning level during the second audible alert (column 3, lines 35-38 and column 4, lines 17-61).

As to **Claims 5-8**, they are manufacturing method claim corresponding to an apparatus claims 1-4 and they are therefore rejected for the similar reason set forth in the rejection of claims 1-4.

*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Satake et al. (U.S. 5,923,256) teaches a system wherein a time interval of a first alarm sound output by the outputting means differs from a time interval of a second alarm sound output by the outputting means. Welling et al. (U.S. 6,317,052) teaches a method and apparatus consists of several light flash or audible patterns may be selected by step-wise scrolling through the table in response to manually varying the contact potential. Neuhaus et al. (U.S. 5,012,221) teaches a system and method which the audible warning system projects different selectable sound phrases that indicated varying levels of urgency.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoi C. Lau whose telephone number is (571)272-8547. The examiner can normally be reached on M- F 8:30am - 5:00pm.

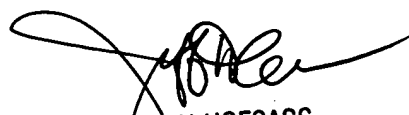
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571)272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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HCL



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